

REMARKS

I. STATUS OF THE CLAIMS

Claims 1-6 and 16-24 are currently pending.

II. REJECTION OF CLAIMS 1-16, 16 AND 20-24 UNDER 35 USC 102(E) AS BEING ANTICIPATED BY TREYZ (US PATENT NO. 6,526,335)

The present invention as recited, for example, in claim 16, relates to a data accumulation system comprising (a) a data output device outputting data; (b) a data storage device receiving the data output from the data output device; and (c) a portable terminal.

As recited, for example, in claim 16, the portable terminal (i) wirelessly communicates with the data storage device to cause the portable terminal to display, to a user of the portable terminal, the data output from the data output device and received by the data storage device, (ii) wirelessly communicates with the data storage device to allow the user to input a command to the portable terminal indicating whether the data output by the data output device and received by the data storage device should be stored in the data storage device, in accordance with a decision by the user after viewing the data displayed by the portable terminal, and (iii) wirelessly communicates with the data storage device to transmit the inputted command from the portable terminal to the data storage device to cause the data storage device to store the data output by the data output device and received by the data storage device in accordance with the transmitted command.

Therefore, the present invention as recited, for example, in claim 16, relates to the use of a portable terminal which displays data output from a data output device and received by a data storage device, and allows the user of the portable terminal to input a command to the portable terminal indicating whether the data output by the data output device and received by the data storage device should be stored in the data storage device, in accordance with a decision by the user after viewing the data displayed by the portable terminal.

The present invention as recited, for example, in claim 16, can be understood, for example, from FIG. 2 and the corresponding disclosure on page 9, line 18, through page 10, line 11, of the specification.

Treyz discloses an automobile personal computer that interacts with wireless devices from various vendors to complete purchase transactions with the vendors. For example, in FIG. 1 of Treyz, an automobile includes an automobile personal computer 14. Automobile personal computer 14 interacts with wireless devices of vendors such as merchants 28, hotels 26 and toll

collection facilities 22. See, for example, column 44, line 57, through column 46, line 43, of Treyz, which describes the interaction of automobile personal computer 14 with wireless devices of vendors to complete purchase transactions.

Therefore, generally, a purchase transaction in Treyz requires automobile personal computer 14 and a wireless device of a vendor.

However, there is no portable device in Treyz which displays data transferred between automobile personal computer 14 and the wireless device of the vendor to allow the user of the portable device to make a determination as to whether the transferred data should be stored.

More specifically, Treyz does not disclose or suggest a portable terminal which displays data output from a data output device and received by a data storage device, and allows the user of the portable terminal to input a command to the portable terminal indicating whether the data output by the data output device and received by the data storage device should be stored in the data storage device, in accordance with a decision by the user after viewing the data displayed by the portable terminal.

Further, no portion of Treyz relates to allowing a user of a portable device make any type of decision as to whether data output from a data output device and received by a data storage device is to be stored by the data storage device.

Therefore, it is respectfully submitted that no portion of Treyz discloses or suggests that a portable terminal (i) wirelessly communicates with the data storage device to cause the portable terminal to display, to a user of the portable terminal, the data output from the data output device and received by the data storage device, (ii) wirelessly communicates with the data storage device to allow the user to input a command to the portable terminal indicating whether the data output by the data output device and received by the data storage device should be stored in the data storage device, in accordance with a decision by the user after viewing the data displayed by the portable terminal, and (iii) wirelessly communicates with the data storage device to transmit the inputted command from the portable terminal to the data storage device to cause the data storage device to store the data output by the data output device and received by the data storage device in accordance with the transmitted command, as recited for example, in claim 16.

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The above arguments were presented in the Amendment filed January 5, 2006. However, on page 2 of the outstanding Office Action, the Examiner asserts that the arguments are not persuasive.

More specifically, on page 2 of the outstanding Office Action, the Examiner asserts that

column 20, line 62, to column 21, line 6, and column 22, line 10-45, of Treyz, disclose a portable device that is used to control an automobile computer.

Column 20, line 62, through column 21, line 6, of Treyz, disclose the use of a web-based interface that may be used to remotely adjust the settings of the automobile personal computer. A device running the web-based interface can be connected to the automobile personal computer through a cable or a wireless link. As described in this portion of Treyz, the settings which are adjusting include, for example, an e-mail address of the automobile personal computer. Column 21, line 29, through column 22, line 19, of Treyz (which includes column 22, lines 10-45, cited by the Examiner), describe other settings that can be adjusted by the web-based interface. These other settings include turning ON or OFF audio tone alerts, radio settings, and selection of subscription services such as digital satellite radio or Internet service.

Therefore, the web-based interface in Treyz is simply used to communicate with the automobile personal computer to adjust settings. Only two devices are involved in the setting process: (1) the web-based interface, and (2) the automobile personal computer. The process does not involve three devices in a manner recited, for example, in claim 16 of the present application.

Please note that claim 16 specifically recites a specific interaction of three devices: (1) a data output device, (2) a data storage device, and (3) a portable terminal.

More specifically, claim 16 recites that a portable terminal (i) wirelessly communicates with the data storage device to cause the portable terminal to display, to a user of the portable terminal, the data output from the data output device and received by the data storage device, (ii) wirelessly communicates with the data storage device to allow the user to input a command to the portable terminal indicating whether the data output by the data output device and received by the data storage device should be stored in the data storage device, in accordance with a decision by the user after viewing the data displayed by the portable terminal, and (iii) wirelessly communicates with the data storage device to transmit the inputted command from the portable terminal to the data storage device to cause the data storage device to store the data output by the data output device and received by the data storage device in accordance with the transmitted command, as recited for example, in claim 16.

As indicated above, claim 16 can be understood, for example, from FIG. 2 and the corresponding disclosure on page 9, line 18, through page 10, line 11, of the specification.

It is respectfully submitted that column 20, line 62, to column 21, line 6, and column 22, lines 10-45, of Treyz, which were cited by the Examiner on page 2 of the outstanding Office Action, do not disclose or suggest such operation.

On page 2 of the outstanding Office Action, the Examiner also refers to column 45, line 46, through column 46, line 29, of Treyz. This portion of Treyz indicates that a wireless telephone may be a part of, or attached to, the automobile personal computer. The wireless telephone can then be a part of a purchase transaction. More specifically, the wireless telephone may be used to initiate a transaction such as, for example, by placing an order or making an offer. See, for example, step 660 in FIG. 50 of Treyz. The wireless telephone may also be used to complete the transaction such as, for example, by providing payment information such as a credit card number or account number. See, for example, step 670 in FIG. 50 of Treyz.

Therefore, the wireless telephone in Treyz is simply used to initiate or complete a transaction. No portion of Treyz indicates that data output from a merchant and received by the automobile personal computer is displayed on the wireless telephone so that the user of the wireless telephone can decide whether the displayed data should be stored by the automobile personal computer. Instead, the wireless telephone of Treyz is simply used as an extension of the automobile personal computer to provide additional data input capabilities, such as an additional device to input credit card or account information.

To further distinguish over column 45, line 46, through column 46, line 29, of Treyz, claim 16 is amended to recite that data is *image or text* data. Similar amendments are made to the other independent claims. Support for the amendments is found, for example, on page 9, line 25, through page 10, line 11; and page 11, lines 10-19, of the specification.

Treyz does NOT disclose or suggest that image or text data is output from a merchant to the automobile personal computer, and that the wireless telephone displays the image or text data to allow a user of the wireless telephone to decide whether or not the displayed image or text data should be stored by the automobile personal computer.

Moreover, an object of various embodiments of the present invention is to allow a user of a portable terminal to check whether or not the data output from the data output device and received by the data storage device *are worth storing by the data storage device*, by view the data as it is displayed on the portable terminal. The user can then input a command to the portable terminal indicating whether the data should be stored in the data storage device. The portable terminal then wirelessly communicates with the data storage device to transmit the inputted command from the portable terminal to the data storage device. See, for example, page 10, lines 2-6, of the specification of the present application.

Treyz is not directed to allowing a user of a portable terminal to check whether or

not data output from a data output device and received by a data storage device are worth storing by the data storage device, by view the data as it is displayed on the portable terminal, as in various embodiments of the present invention.

Therefore, the objects of Treyz are significantly different than various embodiments of the present invention.

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The above comments are specifically directed to claim 16. However, it is respectfully submitted that the comments would be helpful in understanding various differences of various other claims over Treyz.

* * *

Moreover, in accordance with the above comments, it is respectfully submitted that Treyz does not disclose or suggest embodiments as recited, for example, in claims 17, 18 and 19, where the data output device is a pen scanner, and the data is image or text data.

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In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIMS 17-19 UNDER 35 USC 103 AS BEING UNPATENTABLE OVER TREYZ IN VIEW OF MENEZES ("PORTABLE PEN SCANS CAN STORES TEXT WITHOUT A PC")

The above comments for distinguishing over Treyz also apply here, where appropriate.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. CONCLUSION

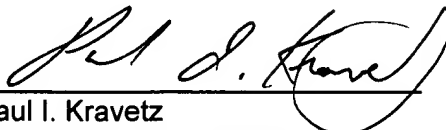
In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By: 
Paul I. Kravetz
Registration No. 35,230

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501